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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,489	03/05/2004	Brian S. McCain	TUC920030184US1 (17306)	3039
46263 7590 03/07/2008 SCULLY, SCOTT, MURPHY, & PRESSER, P.C. 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530			EXAMINER NAJEE-ULLAH, TARIQ S	
			ART UNIT 2152	PAPER NUMBER
			MAIL DATE 03/07/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/796,489	Applicant(s) MCCAIN ET AL.	
	Examiner TARIQ S. NAJEE-ULLAH	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/5/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

This is the first Office action in response to Application 10/796,489 filed on March 5, 2004. Claims 1-18 have been examined and are pending.

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on March 5, 2004 was in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,642,515 to Jones et al (Jones hereinafter).

Regarding claims 1 and 7, Jones teaches **using a command pattern to encapsulate instructions and first data into a command object; and providing the command object to the server host** (col. 2, lines 31-64; reference teaches a request, i.e. first data); **wherein the server host**

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executes the instructions in the command object to provide second data, based on the first data, in the command object, and returns the command object with the second data to the client host (col. 2, lines 31-64; reference teaches accepting or rejecting a request by granting access to the requested resource, i.e. a response to a request, i.e. second data.).

Regarding claims 2 and 8, Jones further discloses the invention substantially as described in claim 1, including wherein **the second data provides a reference to a resource** (col. 2, lines 31-64; reference teaches accepting or rejecting a request by granting access to the requested resource, i.e. a response to a request, i.e. second data.).

Regarding claims 3 and 9, Jones further discloses the invention substantially as described in claim 2, including wherein: **the resource comprises a database** (col. 4, lines 1-7; reference teaches data in a directory, i.e. database).

Regarding claims 4 and 10, Jones further discloses the invention substantially as described in claim 1, including wherein: **the command object is a single object** (col. 4, lines 31-32; reference teaches a single read or write command).

Regarding claims 5 and 11, Jones further discloses the invention substantially as described in claim 1, including **further comprising:**

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interpreting the second data in the returned command object (col. 4, lines 47-64).

Regarding claims 6 and 12, Jones further discloses the invention substantially as described in claim 1, including **wherein: the instructions include instructions for processing the first data to obtain the second data** (col. 4, lines 47-64).

Regarding claim 13, Jones teaches **receiving a command object from the client host; wherein a command pattern is used by the client host to encapsulate instructions and first data into the command object** (col. 2, lines 31-64; reference teaches a request, i.e. first data); **executing the instructions in the command object to provide second data, based on the first data, in the command object; and returning the command object with the second data to the client host** (col. 2, lines 31-64; reference teaches accepting or rejecting a request by granting access to the requested resource, i.e. a response to a request, i.e. second data.).

Regarding claim 14, Jones further discloses the invention substantially as described in claim 13, including **wherein: the second data provides a reference to a resource** (col. 2, lines 31-64; reference teaches accepting or rejecting a request by granting access to the requested resource, i.e. a response to a request, i.e. second data.).

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Regarding claim 15, Jones further discloses the invention substantially as described in claim 14, including **wherein: the resource comprises a database** (col. 4, lines 1-7; reference teaches data in a directory, i.e. database).

Regarding claim 16, Jones further discloses the invention substantially as described in claim 13, including **wherein: the command object is a single object** (col. 4, lines 31-32; reference teaches a single read or write command).

Regarding claim 17, Jones further discloses the invention substantially as described in claim 13, including **wherein: the client host interprets the second data in the returned command object** (col. 4, lines 47-64).

Regarding claim 18, Jones further discloses the invention substantially as described in claim 13, including **wherein: the instructions include instructions for processing the first data to obtain the second data** (col. 4, lines 47-64).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US Patent Publication 6,201,996 to Crater et al.
- US Patent Publication 6,085,223 to Carino et al.

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- US Patent Publication 5,926,549 to Pinkas.
- US Patent Publication 6,044,367 to Wolff.
- US Patent Publication 6,581,102 to Amini et al.
- US Patent Publication 6,832,239 to Kraft et al.
- US Patent Publication 6,873,988 to Herrmann et al.
- US Patent Publication 6,490,623 to Wesley.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TARIQ S. NAJEE-ULLAH whose telephone number is (571)270-5013. The examiner can normally be reached on Monday through Friday 8:00 - 5:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T. N.

/Bunjob Jaroenchonwanit/
Supervisory Patent Examiner, Art Unit 2152